



General Assembly

**Amendment**

February Session, 2004

LCO No. 3099

**\*SB0056903099SRO\***

Offered by:

SEN. COOK, 18<sup>th</sup> Dist.

SEN. FREEDMAN, 26<sup>th</sup> Dist.

To: Subst. Senate Bill No. 569

File No. 458

Cal. No. 337

**"AN ACT CONCERNING REVISIONS TO THE PUBLIC HEALTH STATUTES."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2004*) As used in sections 502 to  
4 505, inclusive, of this act "nail technician" means a person who, for  
5 compensation, cuts, shapes, polishes or enhances the appearance of the  
6 nails of the hands or feet. The term includes, but is not limited to, the  
7 application and removal of sculptured or artificial nails.

8 Sec. 502. (NEW) (*Effective October 1, 2004*) (a) Except as provided in  
9 subsection (c) of this section, no person may practice as a nail  
10 technician unless licensed pursuant to section 503 of this act.

11 (b) No person may use the title "licensed nail technician", " licensed  
12 nail specialist" or "licensed manicurist" or make use of any designation  
13 that may reasonably be confused with licensure as a nail technician

14 unless licensed pursuant to section 503 of this act.

15 (c) No license as a nail technician is required of: (1) A person  
16 licensed as a barber under chapter 386 of the general statutes or as a  
17 hairdresser and cosmetician under chapter 387 of the general statutes;  
18 (2) a person licensed or certified by any agency of this state and  
19 performing services within the scope of practice for which licensed or  
20 certified; or (3) a student, intern or trainee pursuing a course of study  
21 as a nail technician, barber or hairdresser and cosmetician in an  
22 accredited educational institution, provided the activities that would  
23 otherwise require a license as a nail technician are a part of a course of  
24 study and are performed under the supervision of a person licensed or  
25 otherwise authorized to practice as a nail technician.

26 Sec. 503. (NEW) (*Effective October 1, 2004*) The Commissioner of  
27 Public Health shall grant a license as a nail technician to any applicant  
28 who furnishes evidence satisfactory to the commissioner that the  
29 applicant has met the requirements of section 504 of this act. The  
30 commissioner shall develop and provide application forms. The initial  
31 license application fee shall be fifty dollars. The license may be  
32 renewed pursuant to section 19a-88 of the general statutes, as amended  
33 by this act, for a fee of twenty-five dollars.

34 Sec. 504. (NEW) (*Effective October 1, 2004*) (a) Except as provided in  
35 subsections (b) and (c) of this section, an applicant for a license as a  
36 nail technician shall submit evidence satisfactory to the Commissioner  
37 of Public Health of having: (1) Completed a course of study acceptable  
38 to the commissioner in the theoretical and practical components of nail  
39 care of not less than one hundred fifty hours of study that included  
40 coursework in anti-fungal techniques, blood-borne diseases and clean  
41 air requirements, and (2) passed an examination prescribed by the  
42 commissioner.

43 (b) An applicant for a license as a nail technician through reciprocity  
44 or by endorsement may, in lieu of the requirements set forth in  
45 subsection (a) of this section, submit evidence satisfactory to the

46 commissioner that the applicant is licensed or certified as a nail  
47 technician, or as a person entitled to perform similar services under a  
48 different designation, in another state or jurisdiction whose  
49 requirements for practicing in such capacity are substantially similar to  
50 or higher than those of this state and that there are no disciplinary  
51 actions or unresolved complaints pending against the applicant.

52 (c) Prior to March 31, 2005, an applicant for a license as a nail  
53 technician may, in lieu of the requirements set forth in subsection (a) of  
54 this section, submit evidence satisfactory to the commissioner of  
55 having practiced as a nail technician for a minimum of one year within  
56 a three-year period immediately preceding application.

57 Sec. 505. (NEW) (*Effective October 1, 2004*) The Commissioner of  
58 Public Health may, after giving notice and an opportunity to be heard,  
59 take any disciplinary action set forth in section 19a-17 of the general  
60 statutes against a nail technician for any of the following reasons: (1)  
61 Failure to conform to the accepted standards of the profession; (2)  
62 conviction of a felony; (3) fraud or deceit in obtaining or seeking  
63 reinstatement of a license to practice as a nail technician; (4) fraud or  
64 deceit in the practice as a nail technician; (5) negligent, incompetent or  
65 wrongful conduct in professional activities; (6) physical, mental or  
66 emotional illness or disorder resulting in an inability to conform to the  
67 accepted standards of the profession; (7) alcohol or substance abuse; or  
68 (8) violation of any provision of sections 502 to 504, inclusive, of this  
69 act, or any regulation adopted pursuant to section 506 of this act. The  
70 commissioner may order a license holder to submit to a reasonable  
71 physical or mental examination if the person's physical or mental  
72 capacity to practice safely is the subject of an investigation. The  
73 commissioner may petition the superior court for the judicial district of  
74 Hartford to enforce such order or to enforce any action taken pursuant  
75 to section 19a-17 of the general statutes.

76 Sec. 506. (NEW) (*Effective October 1, 2004*) The Commissioner of  
77 Public Health may adopt regulations, in accordance with the  
78 provisions of chapter 54 of the general statutes, to further the purposes

79 of sections 502 to 505, inclusive, of this act.

80 Sec. 507. Subsection (e) of section 19a-88 of the general statutes, as  
81 amended by sections 18 and 19 of public act 03-3 of the June 30 special  
82 session, is repealed and the following is substituted in lieu thereof  
83 (*Effective October 1, 2004*):

84 (e) (1) Each person holding a license or certificate issued under  
85 section 20-74s, as amended, 20-195cc or 20-206ll and chapters 370 to  
86 373, inclusive, 375, 378 to 381a, inclusive, 383 to 383c, inclusive, 384,  
87 384b, 384d, 385, 393a, 395, 399 or 400a and section 20-206n, [or] 20-  
88 206o, or section 503 of this act shall, annually, during the month of  
89 such person's birth, apply for renewal of such license or certificate to  
90 the Department of Public Health, giving such person's name in full,  
91 such person's residence and business address and such other  
92 information as the department requests.

93 (2) Each person holding a license or certificate issued under section  
94 19a-514 and chapters 384a, 384c, 386, 387, 388 and 398 shall apply for  
95 renewal of such license or certificate once every two years, during the  
96 month of such person's birth, giving such person's name in full, such  
97 person's residence and business address and such other information as  
98 the department requests.

99 (3) Each person holding a license or certificate issued pursuant to  
100 section 20-475 or 20-476 shall, annually, during the month of such  
101 person's birth, apply for renewal of such license or certificate to the  
102 department.

103 (4) Each entity holding a license issued pursuant to section 20-475  
104 shall, annually, during the anniversary month of initial licensure,  
105 apply for renewal of such license or certificate to the department.

106 Sec. 508. Subsection (e) of section 19a-88 of the general statutes, as  
107 amended by section 9 of public act 00-226, sections 4 and 5 of public  
108 act 01-4 of the June special session and sections 18 and 19 of public act  
109 03-3 of the June 30 special session, is repealed and the following is

110 substituted in lieu thereof (*Effective on and after the later of October 1,*  
111 *2004, or the date notice is published by the Commissioner of Public Health in*  
112 *the Connecticut Law Journal indicating that the licensing of athletic trainers*  
113 *and physical therapist assistants is being implemented by the commissioner*):

114 (e) (1) Each person holding a license or certificate issued under  
115 section 19a-514, 20-65k, 20-74s, as amended, 20-195cc or 20-206ll and  
116 chapters 370 to 373, inclusive, 375, 378 to 381a, inclusive, 383 to 383c,  
117 inclusive, 384, 384b, 384d, 385, 393a, 395, 399 or 400a and section 20-  
118 206n, [or] 20-206o or section 503 of this act shall, annually, during the  
119 month of such person's birth, apply for renewal of such license or  
120 certificate to the Department of Public Health, giving such person's  
121 name in full, such person's residence and business address and such  
122 other information as the department requests.

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125 renewal of such license or certificate once every two years, during the  
126 month of such person's birth, giving such person's name in full, such  
127 person's residence and business address and such other information as  
128 the department requests.

129 (3) Each person holding a license or certificate issued pursuant to  
130 section 20-475 or 20-476 shall, annually, during the month of such  
131 person's birth, apply for renewal of such license or certificate to the  
132 department.

133 (4) Each entity holding a license issued pursuant to section 20-475  
134 shall, annually, during the anniversary month of initial licensure,  
135 apply for renewal of such license or certificate to the department.

136 Sec. 509. (*Effective October 1, 2004*) Section 19a-231 of the general  
137 statutes is repealed."